

PATENT APPLICATION
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| INVENTOR(S) : | Darrel D. Cherry | GROUP ART UNIT: | 2143 |
| SERIAL NO.: | 09/814,302 | EXAMINER: | Asghar H. Bilgrami |
| FILED: | 03/21/2001 | CONFIRMATION NO: | 4822 |
| SUBJECT: | SYSTEM AND METHOD FOR ELECTRONIC DOCUMENT DISTRIBUTION | | |

COMMISSIONER OF PATENTS
ALEXANDRIA, VA 22313-1450

SIR:

APPELLANTS'/APPLICANTS' REPLY BRIEF

1. GROUNDS OF REJECTION TO BE REVIEWED.

- A. Claims 13-20 stand rejected under 35 U.S.C 103 as being unpatentable over USPN 6,859,832 issued to Gecht in view of USPN 6,550,024 issued to Pagurek.

2. REPLY.

- A. Ground of Rejection A – Claims 13-20 stand rejected under 35 U.S.C 103 as being unpatentable over USPN 6,859,832 issued to Gecht in view of USPN 6,550,024 issued to Pagurek.**

Claim 13 is directed to a system for distributing information. That system includes a logical printer, a client agent, and a processor operable to execute the logical printer and the client agent. Claim 13 further recites the following:

1. the logical printer is integrated with the print functionality of a client computer and is configured to launch the client agent and provide the client agent with a document; and
2. the client agent is configured to connect to a server remote from the client computer, to send the document to the server, to receive a user interface from the server, the user interface enabling a user to enter data identifying a destination for the document, and to return data entered by the user through the user interface to the server so that the server can send the document to a destination identified by the data.

In the opening brief, the Appellant explained that Gecht and Pagurek fail to teach or suggest (a) a logical printer that is configured to launch the client agent and (b) a client agent that is configured to receive a user interface from the server to which a document is sent where that user interface enables a user to enter data identifying a destination for the document.

In the Answer, the Examiner responded separating the Appellant's Arguments into six issues labeled Issues 1-3 and 5-7 spanning pages 6-13 of the Answer. The following addresses each issue as posed by the Examiner.

Issue 1: In the final office action mailed November 30, 2006, the Examiner admitted that Gecht fails to teach many of the limitations of Claim 1. In the opening brief, the Appellant noted that, without explanation, the Examiner cited Pagurek to address Gecht's deficiencies. Responding on page 6 of the Answer, the Examiner states:

As to applicant's argument examiner in the final rejection dated 11/30/2006 cited the appropriate passage from Pagurek that anticipated the limitation along with the appropriate reasoning why it would have obvious for one the ordinary skill in the art to incorporate the limitation disclosed by Pagurek into Gecht to anticipate applicant's invention. Therefore applicant's invention is anticipated the by Gecht and Pagurek.

To the contrary, at page 3 of the final office action, the Examiner simply restates the limitations of Claim 1 admitted not to be taught by Gecht and then cites a passage from Pagurek. The Examiner provides no explanation mapping the limitations of Claim 13 to that passage. The Examiner bears the burden of establishing a prima facie case for obviousness. Simply restating claim limitations and citing a thirty-six line paragraph without further explanation should not be enough to meet that burden as it does not afford the Applicant a fair opportunity to respond. Instead, the Applicant is placed in the position of guessing what the Examiner is thinking.

Issue 2: In the opening brief, the Appellant explained that Pagurek does not teach or suggest a user interface that is returned through which a user can select a destination for the document. Responding on Page 7 of the Answer, the Examiner recited Pagurek, col. 2, lines 5-40 stating:

The above excerpt clearly discloses that a Graphical user Interface (GUI) is presented to the user by the print server agent in which user selects the appropriate print options which is then returned to the server for printing execution. Therefore Pagurek clearly anticipate the above limitation.

The Examiner is mistaken. Selecting print options is not the same as selecting a destination. The cited passage mentions a help desk GUI through which a user selects the name of a data file and print options. Pagurek, col. 2, lines 22-24. A help

desk agent then passes this data on to a print server agent. Pagurek, col. 2, lines 24-25. The print server agent then obtains the data file and selects an available printer. Pagurek, col. 2, lines 25-26. Plainly, Pagurek's print server agent selects the destination (printer) for the data file – not a user. As such, Pagurek's help desk GUI is not an interface through which a user can select a destination for a document. The GUI simply allows the user to select print options. The destination is later selected by the print server agent selects the destination.

Issue 3: Issue 3, found on page 8 of the Answer appears to be a repeat of Issue 2 addressed above.

Issue 5: In the opening brief, the Appellant explained that Gecht fails to teach a client agent or a logical printer. In particular, the Appellant explained that Gecht fails to teach a logical printer that can launch the client agent. Responding on page 10 of the Answer, the Examiner states: "Gecht [sic] on col.3, lines 19-26 discloses that a print job can originate from any suitable print job source, such as client browser, with an associated print driver." The Examiner also cites Gecht, col. 5, line 66 through col. 6, line 5. Nothing in these passages discusses a logical printer that can launch a client agent.

The Examiner goes on to note that the Appellant's specification states: "As known in the art, the document router is a logical printer installed on the client machine that uses a port monitor installed on the client that launches that agent and provides the agent with a document." For the first time during prosecution, the Examiner, in the Answer, asserts that the Appellant admits that that logical printers and client agents are well known. In the generic sense, this is true. Logical printers and client agents are known. However, Claim 13 recites specific configurations of a logical printer and client agent that are not known.

Claim 13 recites that the "logical printer is integrated with the print functionality of a client computer and is configured to launch the client agent and provide the client agent with a document." The Appellant never admits that a logical printer of this particular configuration is known in the art. Furthermore, Claim 13 recites that the client agent is configured to "receive a user interface from the server, the user interface enabling a user to enter data identifying a destination for the document." The

Appellant never admits that a client agent of this particular configuration is known in the art.

Issue 6: Issue 6, found on page 11 of the Answer appears to be a repeat of Issue 5 addressed above.

Issue 7: Issue 7, found on page 12 of the Answer appears to be a repeat of Issue 5 addressed above.

For these reasons, The Appellant respectfully maintains that Claims 13-15 are patentable over Gecht and Paturek.

Claim 16 is directed to a system for distributing information. The system includes a client computer in network communication with a server. The client computer includes a logical printer, a client agent, and a processor operable to execute the logical printer and the client agent. The server includes a server agent and a processor operable to execute the server agent. Claim 16 further recites the following:

1. the logical printer is integrated with the print functionality of the client computer and is configured to launch the client agent and provide the client agent with a document; and
2. the client agent is configured to connect to the server agent, to send the document to the server agent, to receive a user interface from the server, the user interface enabling a user to enter data identifying a destination for the document, and to return data entered by the user through the user interface to the server agent;
3. the server agent is configured to receive the document from the client agent, send the user interface to the client agent, receive the data entered through the user interface from the client agent, and to send the document to a destination identified by the data.

In the opening brief, the Appellant explained that as was shown with respect to Claim 13, Pagurek and Gecht fail to teach or suggest (a) a logical printer configured to launch the client agent and (b) a client agent configured to receive a user interface from the server. In particular, the Appellant implied, with reference to Claim 13, that those references failed to teach or suggest:

- a logical printer configured to launch the client agent and provide the client agent with a document, or
- a client agent that is configured to receive a user interface from the server, the user interface enabling a user to enter data identifying a destination for the document.

In the Answer, the Examiner responded identifying the Appellant's argument as Issue 8 addressed below.

Issue 8: On page 13 of the Answer, the Examiner states: "Gecht [sic] on col.3, lines 19-26 discloses that a print job can originate from any suitable print job source, such as client browser, with an associated print driver." The Examiner also cites Gecht, col. 5, line 66 through col. 6, line 5. Nothing in these passages discusses a logical printer that can launch a client agent.

The Examiner goes on to note that the Appellant's specification states: "As known in the art, the document router is a logical printer installed on the client machine that uses a port monitor installed on the client that launches that agent and provides the agent with a document." For the first time during prosecution, the Examiner, in the Answer, asserts that the Appellant admits that that logical printers and client agents are well known. In the generic sense, this is true. Logical printers and client agents are known. However, Claim 13 recites specific configurations of a logical printer and client agent that are not known.

Claim 16 recites that the "logical printer is integrated with the print functionality of a client computer and is configured to launch the client agent and provide the client agent with a document." The Appellant never admits that a logical printer of this particular configuration is known in the art. Furthermore, Claim 16 recites that the client agent is configured to "receive a user interface from the server, the user interface enabling a user to enter data identifying a destination for the document." The

Appellant never admits that a client agent of this particular configuration is known in the art.

For these reasons, The Appellant respectfully maintains that Claims 16-18 are patentable over Gecht and Pagurek.

Claim 19 is directed to a method for distributing information and recites the following.

1. in response to a user selection of a logical printer to print a document on a client computer, connecting to a server;
2. sending the document to the server;
3. displaying a user interface received from the server, the user interface enabling a user to enter data identifying a destination for the document;
4. returning data entered by the user through the user interface to the server so that the server can send the document to a destination identified by the data.

In the opening brief, the Appellant explained that the Examiner failed to address the specific limitation set out in Claim 19. Consequently, the Examiner failed to assert that the cited references teaches that which is claimed. The Examiner bears the burden of establishing a prima facie case for obviousness. The Examiner plainly failed to meet this burden in the final office action of November 30, 2006.

At page 14 of the Answer, the Examiner responds stating that somehow Gecht's title implicitly teaches the acts of sending, displaying and returning as recited in Claim 19. Choosing, for the first time during prosecution, to address the claim limitations on pages 15-16 of the Answer, the Examiner is raising new grounds for rejection. Until now, the Appellant has not been afforded a fair opportunity to respond to the Examiner's position.

On page 15 of the Answer, the Examiner states:

Displaying: "An agent program provides a directory of documents to the spooling server. The agent program enables a client device associated with the print job source to poll the spooling server to determine whether

the spooling server requires a document identified in the directory to complete the print job. If so the document can be uploaded from the client device to the spooling server. The directory can be communicated to the printer polling device and presented at the printer-polling device. Selection of a print job from the directory can be made (e.g., via a user interface). The directory may be presented via a visual presentation or an audio presentation" (Gecth, Col. 5, lines 66-67 & Col. 6, lines 1-11).

Claim 19 plainly recites displaying a user interface that enables a user to enter data identifying a destination for the document. The Examiner mentions nothing of such an interface in the statement above. With respect to Claim 13, the Examiner admits this is not taught or suggested by Gecth. As explained with respect to Claim 13 above, Pagurek also fails to teach such an interface.

As such, the cited references fail to teach or suggest displaying a user interface received from the server, the user interface enabling a user to enter data identifying a destination for the document. For at least this reason, Claim 19 is patentable as is Claim 20 which depends from Claim 19.

Conclusion

In view of the foregoing remarks, the appellant respectfully maintains that Claims 13-20 define allowable subject matter and asks that the Board reverse the Examiner's rejections.

Respectfully submitted,
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By Jack H. McKinney/
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CLAIMS APPENDIX

1-12 (cancelled)

13. (previously presented) A system for distributing information, the system comprising a logical printer, a client agent, and a processor operable to execute the logical printer and the client agent, wherein:

the logical printer is integrated with the print functionality of a client computer and is configured to launch the client agent and provide the client agent with a document; and

the client agent is configured to connect to a server remote from the client computer, to send the document to the server, to receive a user interface from the server, the user interface enabling a user to enter data identifying a destination for the document, and to return data entered by the user through the user interface to the server so that the server can send the document to a destination identified by the data.

14. (previously presented) The system of Claim 13, wherein the user interface enables the user to enter data identifying an e-mail address and wherein the client agent is operable to return the data identifying the e-mail address to the server so that the server can send the document via e-mail to the e-mail address.

15. (previously presented) The system of Claim 13, wherein the logical printer includes a driver, a spooler, and a port monitor, wherein:

the driver is operable to translate the document to a rendered format;

the spooler is operable to send the document in the rendered format to the port monitor; and

the port monitor is operable to launch the client agent.

16. (previously presented) A system for distributing information, the system comprising a client computer in network communication with a server, wherein the client computer includes a logical printer, a client agent, and a processor operable to execute the logical printer and the client agent and wherein the server includes a server agent and a processor operable to execute the server agent, wherein:

the logical printer is integrated with the print functionality of the client computer and is configured to launch the client agent and provide the client agent with a document; and

the client agent is configured to connect to the server agent, to send the document to the server agent, to receive a user interface from the server, the user interface enabling a user to enter data identifying a destination for the document, and to return data entered by the user through the user interface to the server agent;

the server agent is configured to receive the document from the client agent, send the user interface to the client agent, receive the data entered through the user interface from the client agent, and to send the document to a destination identified by the data.

17. (previously presented) The system of Claim 16, wherein the user interface enables the user to enter data identifying an e-mail address and wherein the client agent is operable to return the data identifying the e-mail address to the server so that the server can send the document via e-mail to the e-mail address.

18. (previously presented) The system of Claim 16, wherein the logical printer includes a driver, a spooler, and a port monitor, wherein:

the driver is operable to translate the document to a rendered format;

the spooler is operable to send the document in the rendered format to the port monitor; and

the port monitor is operable to launch the client agent.

19. (previously presented) A method for distributing information, comprising:
in response to a user selection of a logical printer to print a document on a client computer, connecting to a server;

sending the document to the server;

displaying a user interface received from the server, the user interface enabling a user to enter data identifying a destination for the document;

returning data entered by the user through the user interface to the server so that the server can send the document to a destination identified by the data.

20. (previously presented) The method of Claim 19, wherein displaying a user interface received from the server comprises displaying a user interface that enables the user to enter data identifying an e-mail address and wherein returning data entered by the user comprises returning the data identifying the e-mail address to the server so that the server can send t the document via e-mail to the e-mail address.